

The Honorable John H. Chun

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AMAZON.COM, INC., a Delaware
corporation; and AMAZON.COM SERVICES
LLC, a Delaware limited liability company,

Plaintiffs,

v.

YAN LI, an individual; and XIWEI CHEN, an
individual; and DOES 1-10,

Defendants.

No. 2:23-cv-00486-JHC

**PLAINTIFFS' *EX PARTE* MOTION TO
FILE OVER-LENGTH MOTION FOR
DEFAULT JUDGMENT AND
PERMANENT INJUNCTION AGAINST
DEFENDANTS**

WITHOUT ORAL ARGUMENT

NOTE ON MOTION CALENDAR:
SEPTEMBER 18, 2024

Pursuant to Local Civil Rule 7(f), Plaintiffs Amazon.com, Inc. and Amazon.com Services LLC (collectively, "Plaintiffs") request that the Court permit them to file an over-length *ex parte* motion in support of their request for an order from this Court granting default judgment and permanent injunction against Defendants. Local Civil Rule 7(e)(1) provides that motions brought pursuant to Local Civil Rule 7(d)(1), including motions for default judgment where the opposing party has not appeared, are limited to 2,100 words. By this request, Plaintiffs seek to file a motion containing approximately 2,600 additional words, for a total limit of 4,700 words.

Plaintiffs contend that the additional words are necessary to provide sufficient explanation of the facts surrounding Defendants' deceptive and fraudulent conduct in connection with obtaining a trademark registration from the United States Patent and Trademark Office and

PLAINTIFFS' *EX PARTE* MOTION TO
FILE OVER-LENGTH MOTION - 1
(2:23-cv-00486-JHC)

Davis Wright Tremaine LLP
920 Fifth Avenue, Suite 3300
Seattle, WA 98104-1640
206.622.3150 main · 206.757.7700 fax

1 submitting fraudulent notices of infringement in the Amazon.com store; Defendants' failure to
2 appear, and subsequent defaults; Defendants' established liability under each of the claims made
3 by Plaintiffs; and Plaintiffs' request for cancellation of a trademark registration, issuance of
4 injunctive relief, and an award of reasonable attorneys' fees against Defendants.

5 Thus, the 2,100 word limit is insufficient for Plaintiffs to provide this Court with the facts
6 and authorities supporting the motion and to demonstrate Plaintiffs' need for an order allowing
7 for default judgment and permanent injunction against Defendants. For these reasons, Plaintiffs
8 seek permission to file an over-length motion to provide this Court with the full detail necessary
9 to support the order they seek.

10
11 DATED this 18th day of September, 2024.

12
13 *I certify that this memorandum contains 249 words, in compliance with the Local Civil*
14 *Rules.*

15 DAVIS WRIGHT TREMAINE LLP
16 *Attorneys for Plaintiffs*

17 *s/ Scott Commerson*
18 Scott Commerson, WSBA #58085
19 865 South Figueroa Street, Suite 2400
20 Los Angeles, CA 90017-2566
21 Tel: (213) 663-6800
22 Fax: (213) 633-6899
23 Email: scottcommerson@dwt.com